## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

| In re P  | atent Application of:   | )    | Group Art Unit: 1635          |
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| BECK     | ER et al.   | )    | Examiner: Lacourciere, K.     |
| Serial l | No. 09/523,237  | )    | Atty. Docket No. GP068-03.CN1 |
| Filed:   | March 10, 2000  | )    | Confirmation No. 5771         |
| For:     | KITS FOR AMPLIFYING TARGET<br>NUCLEIC ACID SEQUENCES USING<br>MODIFIED OLIGONUCLEOTIDES | )))) | VIA FACSIMILE                 |

## SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

Sir:

Applicants bring to the Examiner's attention the reference listed on the attached form PTO/SB/08 (two copies) for consideration in connection with the examination of the above-captioned application. This reference is a U.S. patent which corresponds to European Patent Application No. 0 742 287, a patent document that was previously cited in Applicants' Information Disclosure Statement mailed on October 4, 2001. A copy of the listed reference is attached hereto.

This Information Disclosure Statement is being submitted under 37 C.F.R. § 1.97(c) more than three months from the filing date of the instant application and after the mailing date of a first Office action on the merits but before the mailing date of either a final action or notice of allowance.

**IDS** 

Serial No. 09/523,237 Atty. Docket No. GP068-03.CN1

Applicants respectfully request that the Examiner indicate consideration of the cited reference by returning a copy of the attached form PTO/SB/08 with the Examiner's initials or other appropriate marks.

No fee is believed due in connection with this Information Disclosure Statement. If Applicants are mistaken, then please charge the amount due to Deposit Account No. 07-0835 in the name of Gen-Probe Incorporated.

## Certificate of Transmission

I hereby certify that this correspondence (and any referred to as attached) is being sent by facsimile to 703-746-5206 on the date indicated below to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

By:

Respectfully submitted,

Date: September 3, 2003

Charles B. Cappellari Registration No. 40,937

Attorney for Applicants

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PTO/\$8/08a (08-03)

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Inder the Panerwork Reduction Act of 1995, no persons are required to respond to a collection of Information unless it contains a valid OMB control number. Complete if Known Substitute for form 1449A/PTO Application Number 09/523,237 Filing Date INFORMATION DISCLOSURE March 10, 2000 First Named Inventor Becker, M. STATEMENT BY APPLICANT Art Unit 1635 Examiner Name Lacourciere, K. (Use as many sheets as necessary) Attorney Docket Number 1 GP068-03.CN1 Sheet of\_

| Examiner  | Cite        | Document Number                        | U. S. PATENT Publication Date         | Namo of Patentee or         | Pages, Columns Lines Where   |
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\*English Language Abstract Attached

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This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burdon, should be sent to the Chief information Officer, U.S. Patent and Trademark Office, U.S. Oppartment of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS YO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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| •                     |                               | EMENT BY APP                  |                                | First Named Inventor                                    | Becker, M.   |   |    |
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|                       |                               | (Use as many sheets as necess | sary)                          | Examiner Name Lacourciere, K.                           |              | urciere, K.   |    |
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